

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

QASHIME WAGNER

v.

THE DISTRICT ATTORNEY OF THE
COUNTY OF PHILA., PA and THE
ATTORNEY GENERAL OF THE
STATE OF PENNSYLVANIA

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CIVIL ACTION

NO. 16-980

ORDER

NOW, this 13th day of March, 2017, upon consideration of the Petition for Writ of Habeas Corpus (Document No. 1), the response to the petition, the Report and Recommendation filed by United States Magistrate Judge Timothy R. Rice (Document 10), and no objections to the Report and Recommendation having been filed, and after a thorough and independent review of the record, it is **ORDERED** that:

1. The Report and Recommendation of Magistrate Judge Timothy R. Rice is **APPROVED and ADOPTED**;
2. The Petition for Writ of Habeas Corpus is **DENIED**; and,
3. There is no probable cause to issue a certificate of appealability.

/s/ Timothy J. Savage, J.
TIMOTHY J. SAVAGE, J.